



Because no party in this case has filed timely objections, the Court reviews the report and recommendation for clear error. Having done so and finding no clear error, the Court accepts and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the Report and Recommendation of the United States Magistrate Judge, Doc. 13, is **ADOPTED**. Defendants' Motion to Dismiss, Doc. 30, is **GRANTED IN PART** and **DENIED IN PART**.

It is so **ORDERED**.

SIGNED this 6th day of December, 2024.

A handwritten signature in black ink, appearing to read 'David Counts', is written over a horizontal line.

DAVID COUNTS  
UNITED STATES DISTRICT JUDGE